# IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL APPLICATION NO. 33 OF 2007
IN
APPEAL FROM ORDER NO. 16 OF 2007

DR. RAJENDRA TAMBA AND ANR., ... Applicants
Versus
MR. UDAY SINGH RANE SARDESSAI AND ANR., ... Respondents

Mr. Shivan Desai, Advocate for the applicant.
Mr. C. Mascarenhas, Advocate for the respondent No.1

Coram:- R. S. MOHITE, J.

Date:- 6th September, 2007

P.C.

Heard both sides. A. O. has already been admitted on merits. It appears that ad interim relief was granted on 2.3.2007. The grievance is made on behalf of applicant that in spite of ad interim relief, the suit property was alienated. My attention is brought to the reply of the respondent, in which it is stated that on 13.9.2006 the respondent entered into an oral agreement with M/s.Goan Residential Resorts Pvt. Ltd. Consequent to this for the sale of entire property which included survey No.750/0 and that entire consideration has been received by cheque on or about 18.5.2007. The Advocate for the respondent however, states that in respect of survey No.750/0 sale deed has not been executed and that the respondent continues to be the owner in possession of the suit property. In this view of the matter,application is disposed off with the following interim relief.

The respondents, their servants, agents are restrained from executing any sale deed and in parting with possession of survey No.750/0 of village

Latambarcem till the disposal of the appeal.

R. S. MOHITE, J.

SMA